Supreme Court, U.S.
FILED
AUG 29 2001
OFFICE OF THE CLERK

NO. 01-207

IN THE SUPREME COURT OF THE UNITED STATES

THOMAS RICHARD,
Petitioner

vs.

STATE OF OHIO,
Respondent

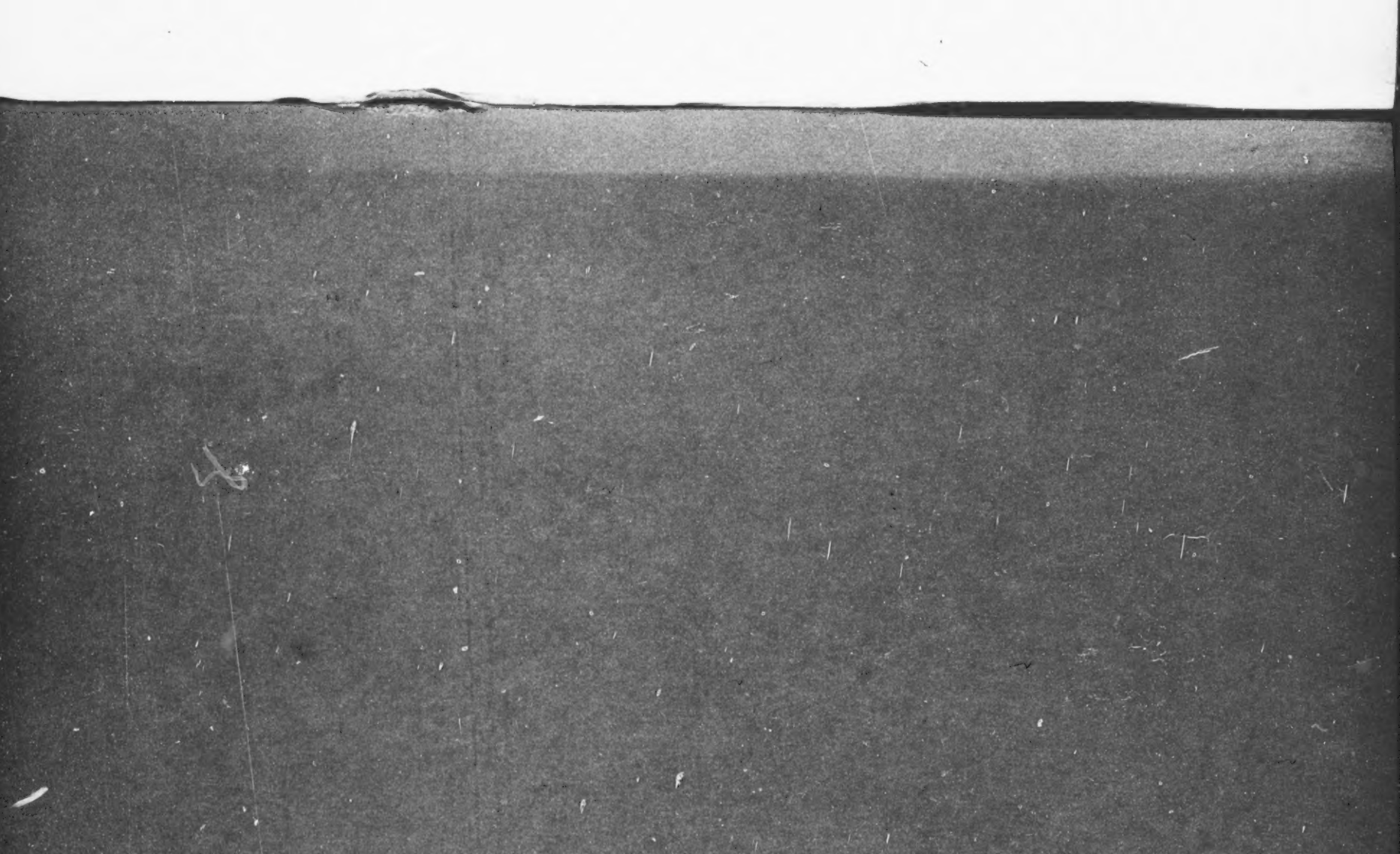
ON PETITION FOR WRIT OF CERTIORARI TO THE EIGHTH JUDICIAL DISTRICT COURT OF APPEALS OF OHIO

BRIEF IN OPPOSITION TO WRIT OF CERTIORARI

WILLIAM D. MASON
CUYAHOGA COUNTY PROSECUTOR

GAIL D. BAKER (#0064772)
Assistant Prosecuting Attorney
The Justice Center, 8th Floor
1200 Ontario Street
Cleveland, Ohio 44113
(216) 443-7800
Counsel for Respondent

James R. Willis, Esq.
113 St. Clair Avenue, N.E., Suite 440
Cleveland, Ohio 44114-1214
Counsel for Petitioner



COUNTER QUESTION OF LAW

Respondent, the State of Ohio submits that the questions presented by the record in this case are more properly stated as follows:

1. The Petition for a Writ of Certiorari should be denied where Petitioner, Thomas Richard fails to establish a violation of any right or privilege under the Constitution of the United States.

TABLE OF CONTENTS

COUNTER QUESTION OF LAW i

TABLE OF CONTENTS ii

TABLE OF AUTHORITIES. iv

STATEMENT OF THE CASE 1

STATEMENT OF THE FACTS. 3

REASONS FOR DENYING THE WRIT. 3

I. An Affidavit Establishes Probable Cause; Where The Averments Set Forth In The Affidavit Demonstrate A Substantial Basis For Concluding That Narcotics And Evidence Of Illegal Drug Activity Will Be Found On the Premises. 3

II. Where The Evidence Shows The Police Waited A Few Seconds Before Entering The Premises, Even If The Police Failed to Knock And Announce In Violation of R.C. §2935.12(A), Such An Unannounced Intrusion May Be Reasonable Under The Fourth Amendment. 11

III. The Trial Court Did Not Abuse Its Discretion When It Ordered The State Not To Disclose The Identity Of The Confidential Reliable Informant. 16

IV. Where The Evidence Is Sufficient To Support A Verdict Of Guilty Beyond A Reasonable Doubt, Then The Trial Court Must Find The Defendant Guilty And Deny A Motion for Acquittal . .22

V. The Trial Court Did Not Err In Ordering The $40,000 Funds Seized As Contraband, Pursuant To O.R.C. §2933.41(c), Where There Was Sufficient Evidence That Proved The Money Was Used In The Commission Of A Criminal Offense 24

CONCLUSION 30

CERTIFICATE OF SERVICE 31

APPENDICES:

Appendix "A" -
Opinion of the Eighth District Court of Appeals - *State v. Richard* (Dec. 7, 2000), Cuy. App. No. 76796, unreported. 1a

Appendix "B" -
O.R.C. §2901.01. . . . . .18a

Appendix "C" -
O.R.C. §2933.41. . . . . .26a

TABLE OF AUTHORITIES

Cases

Alderman v. United States, 394 U.S. 165, 89 S.Ct. 961, 22 L.Ed.2d 176 (1969). . 12
Blakemore v. Blakemore, 5 Ohio St.3d 217, 219 (1983). 19
Brinegar v. United States, 338 U.S. 160, 175-76, 69 S.Ct. 1302, 93 L.Ed. 1879 (1949), ... 7
Illinois v. Gates, 462 U.S. 213, 103 S.Ct. 2317, 2332, 76 L.Ed.2d 527 (1983). 5,7,8
Jackson v. Virginia, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979). ... 24
Jones v. United States, 362 U.S. 257, 271, 80 S.Ct. 725, 4 L.Ed.2d 697 (1960). ... 6
McCray v. Illinois, 386 U.S. 300, 87 S.Ct. 1056, 18 L.Ed.2d 62 (1967). 17,21
Rakas v. Illinois, 439 U.S. 128, 99 S.Ct. 421 (1978); 13
Richards v. Wisconsin, 520 U.S. 385, 117 S.Ct. 1416, 137 L.Ed.2d 615 (1997). .. 13
Roviaro v. United States, 353 U.S. 53, 59-62, 77 S.Ct. 623, 1 L.Ed.2d 639 (1957 13
State v. Brown, 64 Ohio St.3d 649, 597 N.E.2d 510 (1992); 19
State v. Coleman, 45 Ohio St.3d 298, 306, 544 N.E.2d 622 (1989). 12
State v. DeHass, 10 Ohio St.2d 230, 227 N.E.2d 212, paragraph one of syllabus (1967). 23
State v. Feltner, 87 Ohio App.3d 279, 281, 622 N.E.2d 15 (1993). 19

State v. Jenks, 61 Ohio St.3d 259, 274, 574 N.E.2d 492, paragraph two of the syllabus (1991), ... 24
State v. Parsons, 64 Ohio App.3d 63, 69, 580 N.E.2d 800 (1989). 21

State v. Richard (Dec. 7, 2000), Cuy. App. No. 76796, unreported.....3,8,11,21,29
State v. Williams, 4 Ohio St.3d 74 (1983), ... 19,20
United States v. Bennett, 905 F.2d 931, 934 (6th Cir. 1990); 7
United States v. Harrington, 951 F.2d 876, 877 (8th Cir. 1991). 18
United States v. Hollis, 245 F.3d 671, 674 (8th Dist. 2001). 17
United States v. King, 227 F.3d 732, 739 (6th Cir. 2000). 7
United States v. One 1987 Mercedes 560 SEL, 919 F.2d 327, 330 (5th Dist., 1990). 27
United States v. Salvucci, 448 U.S. 83, 100 S.Ct. 2547 (1980). 13

Statutes

O.R.C. 2933.41.....25,28
O.R.C.2901.01.....28

NO. 01-207

IN THE SUPREME COURT OF THE UNITED STATES

THOMAS RICHARD,
Petitioner

vs.

STATE OF OHIO,
Respondent

ON PETITION FOR WRIT OF CERTIORARI
TO THE EIGHTH JUDICIAL DISTRICT
COURT OF APPEALS OF OHIO

BRIEF IN OPPOSITION TO WRIT OF CERTIORARI

TO: The Honorable, the Chief Justice and the Associate Justices of the Supreme Court of the United States

STATEMENT OF THE CASE

Petitioner Thomas Richard and a co-defendant were indicted by the Cuyahoga County Grand Jury on charges of possession of drugs, O.R.C. § 2925.11; trafficking in

cocaine, O.R.C. § 2925.03; carrying a concealed weapon, O.R.C. § 2923.12; and possession of criminal tools, O.R.C. § 2923.24. On January 12, 1999, petitioner filed a motion to suppress and for return of illegally seized property. The hearing took place on February 11, 1999. The trial court denied the motion to suppress. The trial commenced on June 22, 1999. A jury found petitioner guilty of the charges. Subsequently, the court imposed a sentence of twelve months incarceration. Petitioner filed an appeal. The Eighth District, Court of Appeals affirmed petitioner's conviction in *State v. Richard* (December 7, 2000), Cuyahoga App. No. 76796, unreported, 2000 WL 1800632. Petitioner filed a Memorandum in Support

of Jurisdiction in the Supreme Court of Ohio. The Ohio Supreme Court dismissed petitioner's appeal on the basis that it did not involve any substantial constitutional question. *State v. Richard* (May 2, 2001), No. 01-263.

Petitioner, Thomas Richard now seeks review by this Court on a Petition for a Writ of Certiorari.

STATEMENT OF FACTS

The facts as stated in *State v. Richard* (December 7, 2000), Cuyahoga App. No. 76796, unreported, 2000 WL 1800632 at 1-5, are adopted herein.

REASONS FOR DENYING THE WRIT

I. AN AFFIDAVIT ESTABLISHES PROBABLE CAUSE; WHERE THE AVERMENTS SET FORTH IN THE AFFIDAVIT DEMONSTRATE A SUBSTANTIAL BASIS FOR

CONCLUDING THAT NARCOTICS AND EVIDENCE OF ILLEGAL DRUG ACTIVITY WILL BE FOUND ON THE PREMISES.

Petitioner asserts that there was insufficient probable cause to support the issuance of a search warrant. According to Petitioner, the search of the residence was unreasonable and any items seized, especially the seizure of money, were inadmissible and should have been suppressed. When the trial court considered the totality of the circumstances, it properly concluded that the affidavit provided a substantial basis for the magistrate to believe that there was a fair probability that evidence of a crime would be found in the houses located at 8722 Beckman Avenue and at 8407 Wade

Park. Appropriately, the appellate court did not err in affirming the trial court's decision denying Petitioner's motion to suppress, where the affidavit submitted in support of the search warrant was based upon information from a reliable informant, and that information was corroborated by an independent police investigation.

In *Illinois v. Gates*, this Court announced a "totality-of-the-circumstances test. *Illinois v. Gates*, 462 U.S. 213, 103 S.Ct. 2317, 2332, 76 L.Ed.2d 527 (1983). Under the totality-of-the-circumstances test, an issuing magistrate is simply to make a practical, common-sense decision whether, given all the circumstances set forth in the affidavit

before him or her, including the 'veracity' and 'basis of knowledge' of persons supplying hearsay information, there is a fair probability that contraband or evidence of a crime will be on the premises. *Id.* at 238-239. Moreover, the duty of a reviewing court is simply to ensure that the magistrate had a 'substantial basis for concluding' that probable cause existed. *Jones v. United States*, 362 U.S. 257, 271, 80 S.Ct. 725, 4 L.Ed.2d 697 (1960).

Probable cause is defined as "reasonable grounds for belief, supported by less than prima facie proof but more than mere suspicion that there is a fair probability that contraband or evidence of a crime will be found in a particular

place. *United States v. Bennett*, 905 F.2d 931, 934 (6th Cir. 1990); *Gates*, 462 U.S. at 238, 103 S.Ct. 2317; *United States v. King*, 227 F.3d 732, 739 (6th Cir. 2000). In *Brinegar v. United States*, 338 U.S. 160, 175-76, 69 S.Ct. 1302, 93 L.Ed. 1879 (1949), this Court concluded that the probable cause standard is a "practical non-technical conception," where courts deal with probabilities which are the factual and practical considerations of everyday life on which "reasonable and prudent" individuals, not legal technicians, act. When reviewing the sufficiency of probable cause in an affidavit submitted in support of a search warrant, the duty of the appellate court is only to ensure that the issuing

magistrate had a substantial basis for concluding that probable cause existed. *Gates* at 462 U.S. at 238-239, 103 S.Ct. at 2332.

In the instant case, the affidavit in support of the search warrant was signed by Detective Ruffin and stated that over the past month, several citizen complaints and a Crime Stoppers complaint were received by the police department that "Tom Richards" or "Tom Richardson" and his brother "Jeff" were trafficking in drugs at 8407 Wade Park Avenue. *Richard,* 2000 WL 1800632 at 6. The crime stopper's report indicated that the house on 8722 Beckman Road was a stash house. *Id.*

Surveillance of the 8407 Wade Park residence indicated very heavy pedestrian and vehicular traffic with suspected drug trafficking observed at that location. *Richard*, 2000 WL 1800632 at 6. In the affidavit, the affiant stated an informant contacted the police with information that an individual known as Tom Richards sold drugs. *Id.* The informant advised police that Petitioner sold drugs from 8407 Wade Park, and used the house on 8722 Beckman Road to stash the drugs. *Id.* The officers thereafter set up a controlled buy using the CRI. *Id.* They observed the CRI approach Petitioner Thomas Richard and saw him leave the 8407 Wade Park house in a beige Cutlass, drive to 8722 Beckman Avenue and

a short time later returned to 8407 Wade Park where he then gave the CRI the drugs. *Id.* The affidavit also stated that the police observed other similar activity between Petitioner Thomas Richard and people who would come to the 8407 Wade Park house. *Id.* When Petitioner, Thomas Richard returned to 8407 Wade Park, police observed him conduct hand-to-hand transactions with the various individuals. *Id.* The affidavit depicted this activity as drug trafficking. *Id.*

The averments contained in the affidavit provided the trial court with a substantial basis for concluding that sufficient probable cause existed for a search warrant. As a result, the trial

court could justifiably find the search of the houses were reasonable based on the circumstances that existed at the time of the execution of the search warrant.

II. WHERE THE EVIDENCE SHOWS THE POLICE WAITED A FEW SECONDS BEFORE ENTERING THE PREMISES, EVEN IF, THE POLICE FAILED TO KNOCK AND ANNOUNCE IN VIOLATION OF R.C. § 2935.12(A), SUCH AN UNANNOUNCED INTRUSION MAY BE REASONABLE UNDER THE FOURTH AMENDMENT.

Petitioner, during the suppression hearings admitted he did not reside at 8407 Wade Park house. *Richard, supra,* 2000 WL 1800632 at 8. On cross-examination, Petitioner disclosed that he resided at 1585 East 84 Street. *Id.* at 1. This Court has long maintained that

Fourth Amendment rights are personal in nature. *Alderman v. United States*, 394 U.S. 165, 89 S.Ct. 961, 22 L.Ed.2d 176 (1969). A person who alleges error by the use of evidence taken from someone else's property cannot claim that his own rights have been violated. *State v. Coleman*, 45 Ohio St.3d 298, 306, 544 N.E.2d 622 (1989). Only those whose personal rights have been violated can raise Fourth Amendments claims. *Id.* Petitioner, having failed to establish a personal interest in either residence located at 8722 Beckman Road or 8407 Wade Park, cannot succeed in this argument. Accordingly, petitioner lacks standing to raise this argument. See generally, *Rakas v. Illinois*, 439 U.S. 128, 99 S.Ct.

421 (1978); *United States v. Salvucci*, 448 U.S. 83, 100 S.Ct. 2547 (1980).

Even if an assumption is made that the police officers made an unannounced intrusion, that intrusion may still be reasonable under the Fourth Amendment. This Court in *Richards v. Wisconsin*, addressed the application of the "knock and announce" rule concerning the "reasonableness" standard for searches under the Fourth Amendment. *Richards v. Wisconsin*, 520 U.S. 385, 117 S.Ct. 1416, 137 L.Ed.2d 615 (1997). In *Richards*, the Court determined that in felony drug investigations a "no knock" entry, wherein the police are justified in dispensing with the "knock and announce" requirement, may be done where the police have, "a

reasonable suspicion that knocking and announcing their presence, under the particular circumstances, would be dangerous or futile, or that it would inhibit the effective investigation of the crime by, for example, allowing destruction of evidence." *Id.* at 394. *Richards* further stated that whenever the reasonableness of a no-knock entry is challenged, this "reasonable suspicion" showing by the police is not a high one and that the reasonableness of the officer's decision must be evaluated "as of the time they entered the dwelling." *Id.* at 394-95.

As to the execution of the search warrant, the police officers announced their presence, but in light of the

circumstances believed, it was necessary to enter without waiting for a response. Officer Sheppard testified that police advised the SWAT team of extensive drug sales going on in the house and of the possibility of firearms in the house. *Richard, supra,* 2000 WL 1800632 at 7. As well, police advised the SWAT team that previously police responded to a "shots fired" call at the house. *Id.* Based on Detective Sheppard's testimony alone, the trial court could conclude that the police officers were justified in not adhering to the "knock and announce" requirement as there was a reasonable suspicion that knocking and announcing their presence, under the circumstances, would have been dangerous to the officers

involved and the occupants of the house. *Id.*

III. THE TRIAL COURT DID NOT ABUSE ITS DISCRETION WHEN IT ORDERED THE STATE, NOT TO DISCLOSE THE IDENTITY OF THE CONFIDENTIAL RELIABLE INFORMANT.

Petitioner also challenged the trial court's refusal to compel the prosecution to disclose the identity of the Confidential Reliable Informant (CRI). He principally argued the CRI did not exist. Petitioner likewise claimed that disclosure of the CRI's identity would have bolstered his defense by demonstrating that the police were not being truthful. In this case, the trial court did not commit reversible error by not compelling the prosecution to disclose

the CRI's identity. Whereas, Petitioner ignored the fact that the CRI was not present during the commission of the charged offenses and the CRI's role was limited to providing information that went to the issue of probable cause. Petitioner failed to present any legal basis that would justify the disclosure of the CRI's identity. For that reason, Petitioner's argument lacks merit.

The Constitution does not require that prosecutors disclose the identity of confidential informants in every case. See, *McCray v. Illinois*, 386 U.S. 300, 87 S.Ct. 1056, 18 L.Ed.2d 62 (1967); *United States v. Hollis*, 245 F.3d 671, 674 (8th Dist. 2001). To justify the compelled disclosure of a confidential informant's

identity, a defendant must show that his right to the information outweighs the government's traditional privilege to withhold it. See, *Roviaro v. United States*, 353 U.S. 53, 59-62, 77 S.Ct. 623, 1 L.Ed.2d 639 (1957). "In order to override the government's privilege of nondisclosure, defendants must establish beyond mere speculation that the informant's testimony will be material to the determination of the case." *United States v. Harrington*, 951 F.2d 876, 877 (8th Cir. 1991).

The standard of review is whether the trial court abused its discretion in refusing to order the State to disclose the identity of the CRI. See *State v. Brown*, 64 Ohio St.3d 649, 597 N.E.2d 510

(1992); *State v. Feltner*, 87 Ohio App.3d 279, 281, 622 N.E.2d 15 (1993). There must be an abuse of discretion, before an appellate court will reverse the trial court's decision denying a request for disclosure of identity of a confidential informant. *Feltner* at 282. The term "abuse of discretion" connotes more than an error of law or judgment, it implies that the court's attitude was unreasonable, arbitrary or unconscionable. *Blakemore v. Blakemore*, 5 Ohio St.3d 217, 219 (1983).

In *State v. Williams*, 4 Ohio St.3d 74 (1983), the Ohio Supreme Court established a balancing test when the identity of an informant is at issue. A reviewing court must examine whether the

defendant's right of confrontation against the State's right to preserve the anonymity of informants. *Id.* at 76. According to *Williams*, a criminal defendant is entitled to disclosure of a confidential informant's identity only where the informant's testimony is either: vital to establishing an essential element of the offense charged; or helpful or beneficial to the accused in preparing a defense. *Id.* at syllabus. If the informant's degree of participation is such that the informant is essentially a State's witness, the balance tilts in favor of disclosure. *Id.* at 76. However, where disclosure is not helpful to the defense, the prosecution need not reveal the

informant's identity. *Id.* The defendant bears the burden of establishing the need for learning the informant's identity. *State v. Parsons*, 64 Ohio App.3d 63, 69, 580 N.E.2d 800 (1989). Moreover, disclosure need not be made where the informant's involvement was limited to providing information to the issue of probable cause. *Parsons* at 68, citing *McCray v. Illinois*, 386 U.S. 300, 87 S.Ct. 1056, 18 L.Ed.2d 62 (1967).

Detective Milligan and Detective Preston testified that they searched the CRI, gave the CRI the buy money, observed the CRI meet with defendant, and observed the CRI return without the buy money with crack cocaine. *Richard*, 2000 WL 1800632 at 8. In the instant case, Petitioner

failed to demonstrate that disclosure of the CRI's identity was vital to establishing an essential element of the offenses charged or was helpful in preparing his defense. Accordingly, the trial court did not abuse its discretion when it did not order the State to disclose the identity of the CRI.

IV. WHERE THE EVIDENCE IS SUFFICIENT TO SUPPORT A VERDICT OF GUILTY BEYOND A REASONABLE DOUBT THEN THE TRIAL COURT MUST FIND THE DEFENDANT GUILTY AND DENY A MOTION FOR ACQUITTAL.

In this argument, Petitioner alleged the guilty verdicts were not supported by sufficient evidence. Specifically, Petitioner attacked the credibility of the police officers' testimony. It is Petitioner's contention that his

conviction lacked sufficient evidence. He asserted there is no evidence of the existence of the CRI, and it is not enough that the jury found the police officers credible witnesses. However, the State is only required to present evidence of any or all of the elements of the crime. It is within the sole province of the jury, as the trier of fact, to determine whether testimonial evidence established the facts of the case. Furthermore, the creditability of witnesses is an issue for the trier of fact. *State v. DeHass*, 10 Ohio St.2d 230, 227 N.E.2d 212, paragraph one of syllabus (1967).

An appellate court's function when reviewing the record for sufficiency, the

relevant inquiry is whether, after viewing the evidence in a light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime proven beyond a reasonable doubt. *State v. Jenks*, 61 Ohio St.3d 259, 274, 574 N.E.2d 492, paragraph two of the syllabus (1991), following *Jackson v. Virginia*, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979). Here, the prosecution proved beyond a reasonable doubt the elements of the charged offenses. Petitioner's argument that there is insufficient evidence to support his conviction is without merit.

V. THE TRIAL COURT DID NOT ERR IN ORDERING THE $40,000 FUNDS SEIZED AS CONTRABAND,

PURSUANT TO O.R.C. § 2933.41(C), WHERE THERE WAS SUFFICIENT EVIDENCE THAT PROVED THE MONEY WAS USED IN THE COMMISSION OF A CRIMINAL OFFENSE.

Petitioner argued that the State failed to establish a sufficient nexus between the $40,000 and the illegal drug activity. However, the State is only required to establish the existence of probable cause to believe that the U.S. currency seized was connected to illegal drug sales. In this case, the State met that burden. Therefore, petitioner's argument must fail.

The procedures and standard of proof employed in forfeiture proceedings are well established. *United States v. $87,118.00 In United States Currency*, 95

F.3d 511, 518 (Dist. 7 1996). The government, as the party seeking the forfeiture, has the initial burden of establishing probable cause to believe that the property is subject to forfeiture. *Id.* To discharge this burden, the government must establish a "reasonable ground for the belief of guilt supported by less than prima facie proof but more than mere suspicion." *Id.* Probable cause for forfeiture exists if the government demonstrates a nexus between the seized property and illegal drug activity. *Id.*

Once the government has met its burden of establishing probable cause, "the ultimate burden shifts to the claimant to prove by a preponderance of

the evidence that the property is not subject to forfeiture. *$87,118.00 in U.S. Currency* at 518. If the claimant fails to rebut the government's proof, the government's showing of probable cause, standing alone, will support a judgment of forfeiture. *Id.*

Whereas, the reviewing court must accept the lower court's factual findings unless those findings are erroneous, however, the lower court's determination of probable cause is subject to de novo review. *United States v. One 1987 Mercedes 560 SEL*, 919 F.2d 327, 330 (5th Cir. 1990). There was sufficient evidence presented at trial that supported the finding that the money was used in the commission of the drug offenses. Section

2933.41(C)(1) of the *Ohio Revised Code* provides that a person loses any right that he or she may have to the possession and ownership of property if the property "was the subject, or was used in a conspiracy or attempt to commit, or in the commission, of an offense other than a traffic offense, and the person is a conspirator, accomplice, or offender with respect to the offense." Contraband, as defined in Section 2901.01(13)(e) of the *Ohio Revised Code*, means any controlled substance, paraphernalia, or money used in the violation of the *Ohio Revised Code*, Section 2925, Drug Offenses.

Several witnesses testified to the significant amount of drug activity taking place at the 8407 Wade Park house

and Petitioner was seen traveling from the 8407 Wade Park to the 8722 Beckman Road while conducting illegal drug sales. *Richard,* 2000 WL 1800632 at 11. The money was bundled together in amounts of $2,000 with the various amounts of the bills in random order. *Id.* Police found $40,000 in U.S. currency hidden in a clothes dryer at the 8722 Beckman Road house. *Id.* at 7. Two scales commonly used in drug activity were also found on the premises. *Id.* There was a sufficient showing that the confiscated cash was used in the commission of drug trafficking, providing a nexus between the money and Petitioner's criminal activity. Consequently, the trial court

properly determined that it was contraband subject to forfeiture.

CONCLUSION

There has been no important question of federal law decided by the State appellate court and no important or special reason exists for the granting of a Writ of Certiorari. The petition, therefore, should be denied.

Respectfully submitted,

WILLIAM D. MASON
CUYAHOGA COUNTY PROSECUTOR

GAIL D. BAKER
Assistant Prosecuting Attorney
Ohio Registration No. 0064772
The Justice Center - 8th Floor
1200 Ontario Street
Cleveland, Ohio 44113
216) 443-7800
ATTORNEY FOR RESPONDENT

CERTIFICATE OF SERVICE

A copy of the foregoing Brief in Opposition to Writ of Certiorari has been sent this 31st day of August 2001, to Counsel for Petitioner, James R. Willis, Esq., The St. Clair Building, 113 St. Clair Avenue, N.E., Suite 440, Cleveland, Ohio, 44114-1214.

Gail D. Baker
Assistant Prosecuting Attorney